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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/698,441	10/30/2000	Hiroshi Kishi	107427	6528

25944 7590 10/09/2007

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EXAMINER	
ABDULSELAM, ABBAS I	
ART UNIT	**PAPER NUMBER**
2629	
MAIL DATE	**DELIVERY MODE**
10/09/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	09/698,441	KISHI ET AL.	
	Examiner	Art Unit	
	Abbas I. Abdulselam	2629	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *01 August 2007*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-20* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) *4-14,16,17,19 and 20* is/are allowed.

6)☒ Claim(s) *1-3,15 and 18* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

1. This office action is in response to a communication filed on 08/01/07. Claims 1-20 are pending.

Response to Arguments

2. Applicant's arguments with respect to claims 1-3, 15 and 18 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4. Claims 1-3, 15 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wataru et al. (Japanese Publication # 11-198745) in view of Jones (USPN 6904359).

Regarding claim 1, Wataru et al. (hereinafter = Wataru) teaches a control apparatus for input screens that is installed in a vehicle (page 1, first paragraph under "DETAILED DESCRIPTION") and constructed to input predetermined operation performed by an operator based on information displayed by display device as an operator guidance and change information to be displayed by the display device upon input of the operator guidance (page 2,

fourth & fifth paragraphs under "DETAILED DESCRIPTION", display screen (2a), control unit (2)), comprising: operation nullification device that prohibits the predetermined operation performed by the operator from being inputted as the operator guidance upon fulfillment of a predetermined traveling condition related to operation of the vehicle to prevent unsafe operation while the vehicle is traveling (see the abstract, where input operation by the driver is inhibited depending on a signal from car speed sensor (10)); and operation nullification canceller (Fig. 1 (2) Fig. 7(12, 13)) that cancels prohibition against the inputting of the predetermined operation performed by the operator as the operator guidance (see the abstract where inhibition of the input operation is released, also see switches (12, 13)) if a predetermined time period has elapsed since the prohibition against the inputting of the predetermined operation performed by the operator as the operator guidance (page 4 first paragraph under "DETAILED DESCRIPTION starting from lines 5, discharge of transit compulsion with respect to predetermined period of time).

However, while Wataru teaches release switches (12, 13), Wataru's does not teach automatic operation nullification canceller that is automatic.

Jones on the other hand teaches as shown in Fig. 14, Vehicle Control Unit (VCU) 12 in a vehicle such that additional directions can be activated by the drivers' input or automatically after a predefined time period or a predefined distance the vehicle has traveled (col. 11, lines 66-67, col. 12, lines 1-2, col. 20, lines 10-17).

Hence, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine Wartaru's release switches (12, 13) along with a display screen (2a) with Jones automatic inputting after predefined time period, because the use of automatic inputting based on a predefined time period helps a driver of a vehicle obtain an updated route information as taught by Jones.

Regarding claim 2, Wataru teaches the operation nullification device is constructed to judge whether or not the predetermined traveling condition has been fulfilled, depending on information displayed by the display device (page 3 third & fourth paragraphs under "DETAILED DESCRIPTION", Maine ECU 3 in steps 101-104).

Regarding claim 3, Wataru teaches first operation device for performing the predetermined operation based on a first action made by the operator; and second operation device for performing the predetermined operation based on a second action made by the operator, the second action being different from the first action, wherein: the operation nullification device that judges whether or not the predetermined traveling condition has been fulfilled, depending on whether the predetermined operation is performed by the first operation device or by the second operation device (Page 4 first paragraph under starting lines 15 under "DETAILED DESCRIPTION").

Regarding claim 15, Wataru teaches a control apparatus for input screens that is installed in a vehicle (page 1, first paragraph under "DETAILED DESCRIPTION") and constructed to input predetermined operation performed by an operator based on information displayed by display device as an operator guidance and change information to be displayed by the display device upon input of the operator guidance (page 2, fourth & fifth paragraphs under "DETAILED DESCRIPTION", display screen (2a), control unit (2)), comprising: operation nullification means for prohibiting the predetermined operation performed by the operator from being inputted as the operator guidance upon fulfillment of a predetermined traveling condition related to operation of the vehicle to prevent unsafe operation while the vehicle is traveling (see the abstract, where input operation by the driver is inhibited depending on a signal from car speed sensor (10)); and operation nullification cancel means for canceling prohibition against the inputting of the predetermined operation performed by the operator as the operator guidance (see the abstract where inhibition of the input operation is released, also see switches (12, 13)) if a predetermined time period has elapsed since the prohibition against the inputting of the predetermined operation performed by the operator as the operator guidance (page 4 first paragraph under "DETAILED DESCRIPTION starting from lines 5, discharge of transit compulsion with respect to predetermined period of time).

However, while Wataru teaches release switches (12, 13), Wataru does not teach automatic operation nullification canceller that is automatic.

Jones on the other hand teaches as shown in Fig. 14, Vehicle Control Unit (VCU) 12 in a vehicle such that additional directions can be activated by the drivers' input or automatically after a predefined time period or a predefined distance the vehicle has traveled (col. 11, lines 66-67, col. 12, lines 1-2, col. 20, lines 10-17).

Hence, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine Wartaru's release switches (12, 13) along with a display screen (2a) with Jones automatic inputting after predefined time period, because the use of automatic inputting based on a predefined time period helps a driver of a vehicle obtain an updated route information as taught by Jones.

Regarding claim 18, Wataru teaches a control method for input screens that is installed in a vehicle (page 1, first paragraph under "DETAILED DESCRIPTION") and constructed to input predetermined operation performed by an operator based on information displayed by display device as an operator guidance and change information to be displayed by the display device upon input of the operator guidance (page 2, fourth & fifth paragraphs under "DETAILED DESCRIPTION", display screen (2a), control unit (2)), comprising the steps of prohibiting the predetermined operation performed by the operator from being inputted as the operator guidance upon fulfillment of a predetermined traveling condition related to operation of the vehicle to prevent unsafe operation while the vehicle is traveling (see the abstract, where input operation by

the driver is inhibited depending on a signal from car speed sensor (10)); and canceling prohibition(Fig. 1 (2) Fig. 7(12, 13)) against the inputting of the predetermined operation performed by the operator as the operator guidance(see the abstract where inhibition of the input operation is released, also see switches (12, 13)) if a predetermined time period has elapsed since the prohibition against the inputting of the predetermined operation performed by the operator as the operator guidance(page 4 first paragraph under "DETAILED DESCRIPTION starting from lines 5, discharge of transit compulsion with respect to predetermined period of time).

However, while Wataru teaches release switches (12, 13), Wataru does not teach automatic operation nullification canceller that is automatic.

Jones on the other hand teaches as shown in Fig. 14, Vehicle Control Unit (VCU) 12 in a vehicle such that additional directions can be activated by the drivers' input or automatically after a predefined time period or a predefined distance the vehicle has traveled (col. 11, lines 66-67, col. 12, lines 1-2, col. 20, lines 10-17).

Hence, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine Wartaru's release switches (12, 13) along with a display screen (2a) with Jones automatic inputting after predefined time period, because the use of automatic inputting based on a predefined time period helps a driver of a vehicle obtain an updated route information as taught by Jones.

Allowable Subject Matter

5. Claims 4-7, 8-14, 16-17 and 19-20 are allowed.

Conclusion

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Abbas I Abdulselam whose telephone number is (571) 272-7685. The examiner can normally be reached on Monday through Friday from 9:00 A.M. to 5:30 P.M.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richard Hjerpe can be reached on (571) 272-7691. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Abbas abdulselam

Examiner

Art unit 2629

September 30, 2007

RICHARD HJERPE
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600